**IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL.**

Writ Petition No. 976 (S/S) of 2005

Gaina Lal,
S/o Sri Chchandiadu,
Presently posted as Senior Assistant,
District - Economic & Statistical Office,
Uttarakashi, District – Uttarkashi. **…….Petitioner**

V e r s u s

1. State of Uttaranchal through Secretary, Economic and Statistical Department / Planning Dehradun.
2. Director, Economic & Statistical Department, Uttaranchal, Dehradun.
3. Deputy Director, Economic & Statistical Department, Garhwal Mandal, Pauri.

4. District Economic & Statistical Officer, Uttarkashi, District – Uttarkashi.

**……Respondents**

**Hon'ble M.M. Ghildiyal, J.**

Heard Sri Dinesh Gahatori, learned counsel for the petitioner and Sri Paresh Tripathi, learned Brief Holder for State of Uttaranchal on behalf of respondents.

By means of this writ petition, petitioner has challenged the order dated 15.06.2005 passed by Director, Economic & Statistical Department, Dehradun by which petitioner, who was working as Senior Assistant in the office of District Economic and Statistical Officer, Uttarkashi, has been reverted to the post Junior Assistant, after holding inquiry.

Against the order dated 15.06.2006, petitioner preferred appeal on 11.07.2005 before respondent no. 1 i.e.

Secretary, Economic and Statistical Department / Planning Dehradun. The said appeal is still pending. Petitioner cannot avail two remedies simultaneously.

Writ petition is dismissed on the ground of alternative remedy. Since the appeal preferred by the petitioner on 11.07.2005 and more than a year has been passed and the same has yet not been decided by the respondent no. 1, in these circumstances, I deem it fit and proper to direct respondent no. 1 i.e. Secretary, Economic and Statistical Department / Planning Dehradun to take decision on the petitioner's appeal dated 11.07.2005 within a period of four weeks from the date of production of certified copy of this order. Stay application no. 4390 of 2005, C.M. applications no. 10690/2006 and 10980 of 2006 are finally disposed of.

**(M.M. Ghildiyal, J)**

August 30, 2006
SKSharma